



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
DARRELL V. MCGRAW, JR.
CONSUMER PROTECTION DIVISION
1-800-368-8808 or 304-558-8986

Press Release

*Originally Released
January 13, 2005*

Contact: Jill L. Miles
1-800-368-8808
304-558-8986

WEST VIRGINIA AND FORTY-ONE OTHER STATES SETTLE WITH STUDENT DATA COLLECTION COMPANY THAT SHARED INFORMATION WITH COMMERCIAL FIRMS

"National Research Center for College and University Admissions" shared student information with companies that solicited students to buy products and services.

Attorney General Darrell McGraw announced today that West Virginia and 41 other states have entered into a settlement with National Research Center for College and University Admissions ("NRCCUA"). The settlement addressed the states' concerns about NRCCUA's practice of collecting personal information from high school students using surveys.

The states alleged that NRCCUA represented or implied that the information it collected from high school students was shared only with colleges, universities and other entities providing education-related services when, in fact, NRCCUA shared the information with commercial entities that used the information to solicit the students to buy educational and non-educational commercial products and services.

NRCCUA, a Missouri not-for-profit corporation headquartered in Lee's Summit, Missouri, surveys and collects information from hundreds of thousands of high school students each year. In 2001, it collected personal information from more than 2 million high school students.

NRCCUA distributes surveys to U.S. high schools and asks them to have their students fill them out. Students can also complete the survey on-line via the Internet. The NRCCUA surveys ask students for personal information, such as their name, address, gender, grade point average, date of birth, academic and occupational interests, racial or ethnic background, and, in the event the student is interested in attending a college with a religious affiliation, the denomination of their choice. Up until 2002, NRCCUA sold this information to any marketers willing to pay for it. Today, the information is only sold to entities providing educational-related services.

NRCCUA signed an Assurance of Voluntary Compliance ("AVC") that requires the company to do the following:

Not to misrepresent how personally-identifiable information will be collected, used or disclosed, or how the collection of the information is funded.

To disclose clearly and conspicuously why it collects personal information of students and who it sells this information to.

To make these disclosures in all of its privacy statements and in all questionnaires, survey instruments, and other documents.

To cease all future use of survey data collected from a student if a parent (in the case of a minor) or an adult high school student requests that the student be opted-out of completing the survey or if they ask NRCCUA to cease using previously collected information.

If NRCCUA changes its current practice and, once again, chooses to use or permit others to use its survey data for non-educational-related marketing purposes, then NRCCUA must supply schools with written notice that the school must give to parents telling them that the information provided in the survey will be sold to commercial entities who will use the information to solicit students to buy products and services. The notice will also tell parents how to opt their student-children out of completing the survey.

NRCCUA did not admit any violations in settling the matter but agreed to change its practices as required by the AVC.

Attorney General McGraw said that parents of high school and junior high school students should know that their children may be asked to complete surveys like those conducted by NRCCUA. "Under federal law, parents can ask the school not to let their child fill out the survey," McGraw said. McGraw also said that the right to opt out of completing the surveys is also available to high school students 18 and older.

As part of the settlement, NRCCUA will make a payment of \$300,000 to the states to be used for attorneys' fees and investigative costs, consumer education, litigation, or for public protection or local consumer aid funds.

In addition to West Virginia, the following states joined the AVC: AK, AL, AZ, CA, CO, CT, DE, FL, HI, ID, IL, IA, KY, LA, MD, ME, MI, MN, MO, MS, MT, NJ, NY, NV, NC, ND, NM, OH, OK, OR, PA, RI, SD, TN, TX, UT, VA, VT, WA, WI, WY.

If you would like more information, please contact Attorney General McGraw's Consumer Protection Division at 1-800-368-8808 or 304-558-8986.

###